

ESTTA Tracking number: **ESTTA681876**

Filing date: **07/06/2015**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91221913
Party	Plaintiff Arduino S.r.l.
Correspondence Address	Paolo A. Strino Gibbons PC One Penn Plaza, 37th Floor New York, NY 10119 UNITED STATES ipdocket@gibbonslaw.com
Submission	Opposition/Response to Motion
Filer's Name	Paolo A. Strino
Filer's e-mail	ipdocket@gibbonslaw.com, pstrino@gibbonslaw.com, TOwens@gibbonslaw.com
Signature	/PAS/
Date	07/06/2015
Attachments	Opposer's Response to Motion - For Filing.pdf(166823 bytes )

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

In re Ser. No.: 86/392,678  
Marks: ARDUINO YUN  
Registered on: March 15, 2011 and March 20, 2012

-----X	:	
Arduino S.r.l.	:	
	:	
Opposer,	:	
	:	
v.	:	Opposition No. 9122913
	:	
Arduino, LLC	:	
	:	
Applicant.	:	
-----X	:	

Honorable Commissioner for Trademarks  
Trademark Trial and Appeal Board  
P.O. Box 1451  
Alexandria, VA 22313-1451


**OPPOSER'S RESPONSE TO APPLICANT'S  
MOTION TO CONSOLIDATE AND SUSPEND**

Opposer, Arduino S.r.l. ("Opposer"), by and through its attorneys, submits this response to the Motion to Consolidate and Suspend filed by Arduino, LLC ("Applicant") on June 22, 2015.

Opposer received a copy of Applicant's Motion to Consolidate and Suspend ("Applicant's Motion"), via First Class Mail, on June 25, 2015.

Therefore, this response is being filed timely under Trademark Rule 2.127 and 37 C.F.R. § 2.119(c)).

**FACTUAL BACKGROUND**

Opposer is the sole and exclusive owner of numerous trademark registrations around the world, for the marks Arduino and  ("Infinity Logo"). See Exhibit A.

In 2014, Applicant filed a lawsuit in Italy against Opposer, alleging breach of fiduciary duty, breach of contract, and other related claims. Applicant requested *inter alia* that the Italian Court

declare Opposer's Italian and international registrations invalid, and enjoin Opposer from using the marks ("the Italian Litigation"). That lawsuit is currently pending.

On October 3, 2014, Opposer filed a Petition for Cancellation against certain trademark registrations owned by Arduino LLC, under Canc. No.: 92060077.

On January 23, 2015, Applicant filed a second lawsuit, in the District of Massachusetts, under Case 1:15-cv-10181. That lawsuit names many defendants, including Arduino S.r.l. However, Applicant has yet to effect proper service on Arduino S.r.l.

The Massachusetts litigation restates many of the same issues that Applicant already submitted for resolution to the Italian Court, which is the natural forum to decide those claims.

On March 13, 2015, Opposer filed a Notice of Opposition, against a new U.S. application for the Infinity Logo, filed by Arduino LLC under Ser. No. 86/392,594. The Opposition was assigned No.: 91221050.

Motions for consolidation and suspension are pending before the Trademark Trial and Appeal Board for the proceedings Nos.: 92060077 and 91221050.

On May 13, 2015, Opposer filed the Notice of Opposition in the instant proceeding, which was assigned Opp. No. 9122913.

#### **RESPONSE TO APPLICANT'S MOTION FOR CONSOLIDATION**

Opposer recognizes that when in the course of a proceeding before the Trademark Trial and Appeal Board the parties become involved in another Board proceeding for the same or related marks, the Board may consolidate such proceedings. 37 CFR § 2.117(a).

In the current matter, Opposer does not oppose Applicant's motion to consolidate Cancellation No.: 92060077 and Opposition Ser. No. 91221050, to avoid duplication of efforts and resources.

Opposer also notes the following:

- a. Even though Cancellation No.: 92060077 and Opposition Ser. No.: 91221050 present certain factual and legal similarities, some of the facts and claims at issue in those cases are dissimilar.
- b. The two proceedings were initiated separately, thus the scheduling orders set forth different deadlines for each proceeding. If the cases are consolidated, they will however be presented on the same records and briefs. See T.B.M.P. § 511.

Therefore, Opposer respectfully requests that should the proceedings be consolidated, the Board consider separately the issues raised in each proceeding that could have a bearing on the outcome of the cases. Further, Opposer requests that upon consolidating the two matters, a new case schedule be set, conforming to the deadlines as set in the most recently instituted of the cases.

#### **RESPONSE TO APPLICANT'S MOTION FOR SUSPENSION**

In its motion for suspension, Applicant states that *Arduino LLC v. Arduino S.r.L. et al.*, Case No. 15-cv-10181-DJC (D. Mass) (hereinafter the "Civil Action") is now pending in the District of Massachusetts.

For that reason, Applicant requested that the Board suspend the instant proceeding until the final determination of the Civil Action.

Opposer submits the following:

1. In the Civil Action, Opposer is a foreign defendant based in Italy, and litigation is already taking place in that country between the same parties, on the same or related facts.
2. The validity of Applicant's U.S. registrations, subject to the instant proceeding, is not under consideration in the Italian Litigation.
3. Presently, service of process in the Civil Action has not been completed in relation to Opposer.
4. In particular, to make effective service in a country such as Italy that has joined the Hague Convention, a plaintiff must follow the provisions of the treaty. *See Marcantonio v. Primorsk*

*Shipping Corp.*, 206 F. Supp. 2d 54, 58 (D. Mass. 2002); *Tabb v. Journey Freight Internations*, 584 F. Supp. 2d 334, 340 (D. Mass. 2008).

5. A party seeking to avoid compliance with the Hague Convention must file a motion for alternate service. Courts in the District of Massachusetts deny such relief where the plaintiff has not shown that service under the foreign country's laws are "unavailable or at least prohibitively impractical." *Orsi v. Falah*, Civ. No. 11-10451, 2012 WL 4469120, at \*4 (D. Mass. Sept. 25, 2012).

6. At this time, to the best of Opposer's knowledge, Applicant has not completed services against Opposer under the Hague Convention. Further, Applicant has not filed a motion to seek authorization for alternate methods of service.

7. Opposer and its legal representatives have declined to waive applicable service requirements, mindful of the parallel Italian Litigation and of certain outcome-determinative factors, including defenses based on jurisdictional grounds, which may result in the early dismissal of the Civil Action.

8. In other words, Opposer has not been served in the Civil Action; has not appeared in that proceeding; and may never litigate trademark ownership in that Court because of procedural defects pervading that action.

9. Accordingly, the requested suspension for an undetermined period of time may be unwarranted under the circumstances, since it would delay this proceeding indefinitely. The Board may instead wish to consider granting a suspension for a specific period of time. In this case, Opposer is of the opinion that a 9-month suspension would provide the parties with sufficient time to argue those preliminary outcome-dispositive defenses.

10. To the extent that this response is treated as consent to Applicant's suspension request, Opposer states that this response is not intended to, and in fact it does not consent to jurisdiction in the Civil Action, nor does it waive any of Opposer's defenses in that Action.

### **CONCLUSION**

Opposer does not oppose Applicant's request for consolidation.

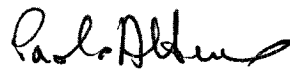
Opposer asserts that the requested suspension for an undetermined amount of time might be unwarranted in this case, considering Applicant's lack of service on Opposer in the Civil Action, as well as other outcome-dispositive defenses.

WHEREFORE, Opposer prays that the Board consider suspending the consolidated proceedings only for a determined period of time, such as nine months. Further, Opposer respectfully requests that upon consolidation, a new case schedule be set, conforming the deadlines to those set in the most recently instituted of the cases.

Respectfully Submitted,

Dated: July 6, 2015

By:



Paolo A. Strino  
Wendy R. Stein  
GIBBONS P.C.  
One Pennsylvania Plaza,  
New York, NY 10119  
(212) 613-2000  
ipdocket@gibbonslaw.com  
ATTORNEYS FOR OPPOSER

**Certificate of Service and Filing**

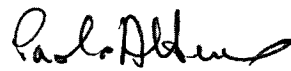
The undersigned hereby certifies that a copy of the foregoing Opposer's Response to Applicant's Motion to Consolidate and Suspend was served on counsel of record for Opposer on the date indicated below via First Class Mail, postage prepaid, as well as e-mail:

Martin B. Schwimmer  
Leason Ellis LLP  
One Barker Avenue, Fifth Floor  
White Plains, NY 10601  
(914) 288-0022  
schwimmer@leasonellis.com, tmdocket@leasonellis.com

The undersigned further certifies that this correspondence is being transmitted electronically to the Commissioner for Trademarks on July 6, 2015, by filing the same electronically at <http://estta.uspto.gov/filing-type.jsp>

Dated: July 6, 2015

/s/



Paolo A. Strino  
One Pennsylvania Plaza,  
New York, NY 10119  
(212) 613-2000  
ipdocket@gibbonslaw.com

# EXHIBIT A



## WIPO - ROMARIN - International Registration Details

**1028190**

6.7.2015

- 151 **Date of the registration**  
02.10.2009
- 180 **Expected expiration date of the registration/renewal**  
02.10.2019
- 270 **Language of the application**  
English

### **Current Status**

- 732 **Name and address of the holder of the registration**  
Smart Projects S.r.l. Via Romano, 12 I-10010 Scarmagno (TO) Italy
- 811 **Contracting State of which the holder is a national**  
IT (Italy)
- 842 **Legal nature of the holder (legal entity) and State, and, where applicable, territory within that State where the legal entity is organized**  
Corporation
- 740 **Name and address of the representative**  
Buzzi, Notaro & Antonielli d'Oulx srl Via Maria Vittoria, 18 I-10123 Torino Italy
- 770 **Name and address of the previous holder**  
Smart Projects snc Via Siccardi, 12 Chivasso (TO) Italy
- 540 **Mark**  
ARDUINO
- 550 **Indication relating to the nature or kind of mark**  
The words contained in the mark have no meaning
- 511 **International Classification of Goods and Services for the Purposes of the Registration of Marks (Nice Classification) - NCL(9)**
- 09 Peripheral devices (computer); stand alone general purpose micro controller boards used for calculation and interface to low voltage electronic components, electromechanical components and electronic systems like personal computers, modems and wireless devices.
- 42 Scientific and technological services and research and design relating thereto; industrial analysis and research services; design and development of computer hardware and software.
- 821 **Basic application**  
IT (Italy), 19.12.2008, TO2008C003952
- 831 **Designation(s) under the Madrid Agreement**  
DZ (Algeria)
- 832 **Designation(s) under the Madrid Protocol**  
AU (Australia), CO (Colombia), EM (European Community), GE (Georgia), GH (Ghana), IL (Israel), IS (Iceland), JP (Japan), KR (Republic of Korea), NO (Norway), NZ (New Zealand), SG (Singapore), TR (Turkey), ZM (Zambia)
- 834 **Designation(s) under the Madrid Protocol by virtue of Article 9sexies**  
AL (Albania), BA (Bosnia and Herzegovina), BY (Belarus), CH (Switzerland), CN (China), CU (Cuba), EG (Egypt), IR (Islamic Republic of Iran), KE (Kenya), KP (Democratic People's Republic of Korea), LI (Liechtenstein), MA (Morocco), MC (Monaco), MD (Republic of Moldova), ME (Montenegro), MK (The former Yugoslav Republic of Macedonia), MN (Mongolia), NA (The Republic of Namibia), RS (Serbia), RU (Russian Federation), SD (Sudan), SL (Sierra Leone), SM (San Marino), UA (Ukraine), VN (Viet Nam)

527      **Indications regarding use requirements**  
NZ (New Zealand), SG (Singapore)

## **Registration**

450      **Publication number and date**  
2010/6 Gaz, 04.03.2010

832      **Designation(s) under the Madrid Protocol**  
AU (Australia), EM (European Community), JP (Japan)

834      **Designation(s) under the Madrid Protocol by virtue of Article 9sexies**  
CH (Switzerland), CN (China), RU (Russian Federation)

580      **Date of recording (date of notification from which the time limit to notify the refusal starts)**  
25.02.2010

**The refusal period has expired and no notification of provisional refusal has been recorded  
(application of Rule 5 preserved)**  
CN (China)

## **Ex Officio examination completed but opposition or observations by third parties still possible, under Rule 18bis(1)**

EM (European Community)  
450      **Publication number and date**  
2010/9 Gaz, 25.03.2010  
**Opposition end date**  
01.12.2010

## **Statement of grant of protection made under Rule 18ter(1)**

AU (Australia)  
450      **Publication number and date**  
2010/27 Gaz, 29.07.2010

861      **Total provisional refusal of protection**  
JP (Japan)

450      **Publication number and date**  
2010/37 Gaz, 07.10.2010

580      **Date of notification**  
14.09.2010

**Date of receipt by the International Bureau**  
09.09.2010

## **Limitation**

450      **Publication number and date**  
2011/8 Gaz, 17.03.2011

833      **Interested Contracting Party(ies)**  
JP (Japan)

**List limited to:**

42      Scientific and technological research and development; computer software design; industrial design; industrial analysis and research services; design and development of computer hardware and software.

Class 9 remains unchanged.  
580 **Date of recording**  
05.11.2010

**Statement of grant of protection made under Rule 18ter(1)**  
RU (Russian Federation)  
450 **Publication number and date**  
2010/51 Gaz, 13.01.2011

**Statement of grant of protection made under Rule 18ter(1)**  
EM (European Community)  
450 **Publication number and date**  
2011/1 Gaz, 27.01.2011

**Statement of grant of protection made under Rule 18ter(1)**  
CH (Switzerland)  
450 **Publication number and date**  
2011/16 Gaz, 12.05.2011

**Statement of grant of protection following a provisional refusal under Rule 18ter(2)(i)**  
JP (Japan)  
450 **Publication number and date**  
2011/21 Gaz, 16.06.2011  
580 **Date of notification**  
09.06.2011  
**Date of receipt by the International Bureau**  
26.05.2011

**Subsequent designation**  
450 **Publication number and date**  
2013/49 Gaz, 26.12.2013  
831 **Designation(s) under the Madrid Agreement**  
DZ (Algeria)  
832 **Designation(s) under the Madrid Protocol**  
CO (Colombia), GE (Georgia), GH (Ghana), IL (Israel), IS (Iceland), KR (Republic of Korea), NO (Norway), NZ (New Zealand), SG (Singapore), TR (Turkey), ZM (Zambia)  
834 **Designation(s) under the Madrid Protocol by virtue of Article 9sexies**  
AL (Albania), BA (Bosnia and Herzegovina), BY (Belarus), CU (Cuba), EG (Egypt), IR (Islamic Republic of Iran), KE (Kenya), KP (Democratic People's Republic of Korea), LI (Liechtenstein), MA (Morocco), MC (Monaco), MD (Republic of Moldova), ME (Montenegro), MK (The former Yugoslav Republic of Macedonia), MN (Mongolia), NA (The Republic of Namibia), RS (Serbia), SD (Sudan), SL (Sierra Leone), SM (San Marino), UA (Ukraine), VN (Viet Nam)  
527 **Indications regarding use requirements**  
NZ (New Zealand), SG (Singapore)  
851 **Limitation of the list of goods and services**  
AL (Albania), BA (Bosnia and Herzegovina), BY (Belarus), CO (Colombia), CU (Cuba), DZ

(Algeria), EG (Egypt), GE (Georgia), GH (Ghana), IL (Israel), IR (Islamic Republic of Iran), IS (Iceland), KE (Kenya), KP (Democratic People's Republic of Korea), KR (Republic of Korea), LI (Liechtenstein), MA (Morocco), MC (Monaco), MD (Republic of Moldova), ME (Montenegro), MK (The former Yugoslav Republic of Macedonia), MN (Mongolia), NA (The Republic of Namibia), NO (Norway), NZ (New Zealand), RS (Serbia), SD (Sudan), SG (Singapore), SL (Sierra Leone), SM (San Marino), TR (Turkey), UA (Ukraine), VN (Viet Nam), ZM (Zambia)

**List limited to:**

- 09 The subsequent designation is only for class 9.
- 580 **Date of recording (date of notification from which the time limit to notify the refusal starts)**  
19.12.2013
- 891 **Date of subsequent designation (Rule 24(6) of the Common Regulations)**  
16.10.2013
- The refusal period has expired and no notification of provisional refusal has been recorded (application of Rule 5 preserved)**  
AL (Albania)
- The refusal period has expired and no notification of provisional refusal has been recorded (application of Rule 5 preserved)**  
EG (Egypt)
- The refusal period has expired and no notification of provisional refusal has been recorded (application of Rule 5 preserved)**  
IR (Islamic Republic of Iran)
- The refusal period has expired and no notification of provisional refusal has been recorded (application of Rule 5 preserved)**  
KP (Democratic People's Republic of Korea)
- The refusal period has expired and no notification of provisional refusal has been recorded (application of Rule 5 preserved)**  
MK (The former Yugoslav Republic of Macedonia)
- The refusal period has expired and no notification of provisional refusal has been recorded (application of Rule 5 preserved)**  
NA (The Republic of Namibia)
- The refusal period has expired and no notification of provisional refusal has been recorded (application of Rule 5 preserved)**  
SD (Sudan)
- The refusal period has expired and no notification of provisional refusal has been recorded (application of Rule 5 preserved)**  
SL (Sierra Leone)
- The refusal period has expired and no notification of provisional refusal has been recorded (application of Rule 5 preserved)**  
ZM (Zambia)

**Ex Officio examination completed but opposition or observations by third parties still possible, under Rule 18bis(1)**

- NZ (New Zealand)
- 450 **Publication number and date**  
2014/3 Gaz, 30.01.2014
- Opposition end date**  
30.04.2014

**Statement of grant of protection made under Rule 18ter(1)**

MC (Monaco)

450 Publication number and date  
2014/8 Gaz, 06.03.2014

**Ex Officio examination completed but opposition or observations by third parties still possible, under Rule 18bis(1)**

NO (Norway)

450 Publication number and date  
2014/15 Gaz, 24.04.2014  
Opposition end date  
07.07.2014

**Statement of grant of protection made under Rule 18ter(1)**

NZ (New Zealand)

450 Publication number and date  
2014/18 Gaz, 15.05.2014

**Ex Officio examination completed but opposition or observations by third parties still possible, under Rule 18bis(1)**

TR (Turkey)

450 Publication number and date  
2014/23 Gaz, 19.06.2014  
Opposition end date  
12.08.2014

**Statement of grant of protection made under Rule 18ter(1)**

IS (Iceland)

450 Publication number and date  
2014/24 Gaz, 26.06.2014

**Ex Officio examination completed but opposition or observations by third parties still possible, under Rule 18bis(1)**

SG (Singapore)

450 Publication number and date  
2014/29 Gaz, 31.07.2014  
Opposition end date  
11.09.2014

**Statement of grant of protection made under Rule 18ter(1)**

MN (Mongolia)

450 Publication number and date  
2014/29 Gaz, 31.07.2014

**Statement of grant of protection made under Rule 18ter(1)**

SM (San Marino)

450      **Publication number and date**  
2014/29 Gaz, 31.07.2014

**Statement of grant of protection made under Rule 18ter(1)**

NO (Norway)

450      **Publication number and date**  
2014/30 Gaz, 07.08.2014

861      **Total provisional refusal of protection**

KR (Republic of Korea)

450      **Publication number and date**  
2014/34 Gaz, 04.09.2014

580      **Date of notification**  
04.09.2014

**Date of receipt by the International Bureau**  
18.08.2014

**Statement of grant of protection made under Rule 18ter(1)**

DZ (Algeria)

450      **Publication number and date**  
2014/36 Gaz, 18.09.2014

**Ex Officio examination completed but opposition or observations by third parties still possible, under Rule 18bis(1)**

UA (Ukraine)

450      **Publication number and date**  
2014/36 Gaz, 18.09.2014

**Opposition end date**  
04.12.2014

**Statement of grant of protection made under Rule 18ter(1)**

SG (Singapore)

450      **Publication number and date**  
2014/39 Gaz, 09.10.2014

**Statement of grant of protection made under Rule 18ter(1)**

CU (Cuba)

450      **Publication number and date**  
2014/42 Gaz, 30.10.2014

**Statement of grant of protection made under Rule 18ter(1)**

ME (Montenegro)

450      **Publication number and date**  
2014/47 Gaz, 04.12.2014

**Statement of grant of protection made under Rule 18ter(1)**

MD (Republic of Moldova)

450      **Publication number and date**  
2014/48 Gaz, 11.12.2014

**Statement of grant of protection made under Rule 18ter(1)**

RS (Serbia)

450      **Publication number and date**  
2014/48 Gaz, 11.12.2014

**Statement of grant of protection made under Rule 18ter(1)**

UA (Ukraine)

450      **Publication number and date**  
2014/50 Gaz, 25.12.2014

**Statement of grant of protection made under Rule 18ter(1)**

BY (Belarus)

450      **Publication number and date**  
2014/51 Gaz, 01.01.2015

**Statement of grant of protection made under Rule 18ter(1)**

LI (Liechtenstein)

450      **Publication number and date**  
2014/51 Gaz, 01.01.2015

861      **Total provisional refusal of protection**

VN (Viet Nam)

450      **Publication number and date**  
2015/3 Gaz, 29.01.2015

580      **Date of notification**  
13.01.2015

**Date of receipt by the International Bureau**  
18.12.2014

**Statement of grant of protection made under Rule 18ter(1)**

MA (Morocco)

450      **Publication number and date**  
2014/52 Gaz, 08.01.2015

**Statement of grant of protection made under Rule 18ter(1)**

TR (Turkey)

450      **Publication number and date**  
2015/1 Gaz, 15.01.2015

**Ex Officio examination completed but opposition or observations by third parties still possible, under Rule 18bis(1)**

GE (Georgia)

450      **Publication number and date**  
2015/2 Gaz, 22.01.2015

**Opposition end date**

12.04.2015

**Statement of grant of protection made under Rule 18ter(1)**

BA (Bosnia and Herzegovina)

450

**Publication number and date**

2015/3 Gaz, 29.01.2015

**Opposition possible after the 18 months time limit**

IL (Israel)

450

**Publication number and date**

2015/9 Gaz, 12.03.2015

**Opposition possible after the 18 months time limit**

IL (Israel)

450

**Publication number and date**

2015/15 Gaz, 23.04.2015

**Opposition end date**

30.07.2015

**Ex Officio examination completed but opposition or observations by third parties still possible, under Rule 18bis(1)**

IL (Israel)

450

**Publication number and date**

2015/15 Gaz, 23.04.2015

**Opposition end date**

30.07.2015

**Opposition possible after the 18 months time limit**

KR (Republic of Korea)

450

**Publication number and date**

2015/17 Gaz, 07.05.2015

**Statement of grant of protection made under Rule 18ter(1)**

CO (Colombia)

450

**Publication number and date**

2015/17 Gaz, 07.05.2015

**Statement of grant of protection made under Rule 18ter(1)**

GE (Georgia)

450

**Publication number and date**

2015/17 Gaz, 07.05.2015

**Statement of grant of protection made under Rule 18ter(1)**

KE (Kenya)

450

**Publication number and date**

2015/24 Gaz, 25.06.2015



**Statement indicating the goods and services for which protection of the mark is granted under Rule 18ter(2)(ii)**

KR (Republic of Korea)

**450 Publication number and date**

2015/25 Gaz, 02.07.2015

**Goods and services for which protection of the mark is granted**

09 Peripheral devices (computer); stand alone general purpose micro controller boards used for calculation and interface to low voltage electronic components, electromechanical components and electronic systems like personal computers, modems and wireless devices.

**580 Date of notification**

02.07.2015

**Date of receipt by the International Bureau**

15.06.2015

## WIPO - ROMARIN - International Registration Details

**1240689**

6.7.2015

- 151 **Date of the registration**  
20.11.2014
- 180 **Expected expiration date of the registration/renewal**  
20.11.2024
- 270 **Language of the application**  
English

### **Current Status**

- 732 **Name and address of the holder of the registration**  
Smart Projects S.r.l. Via Romano, 12 I-10010 Scarmagno (TO) Italy
- 812 **Contracting State or Contracting Organization in the territory of which the holder has a real and effective industrial or commercial establishment**  
IT (Italy)
- 842 **Legal nature of the holder (legal entity) and State, and, where applicable, territory within that State where the legal entity is organized**  
Limited Liability Company, Italy
- 740 **Name and address of the representative**  
Buzzi, Notaro & Antonielli d'Oulx S.r.l. Via Maria Vittoria, 18 I-10123 Torino (TO) Italy
- 540 **Mark**  
ARDUINO
- 541 **Reproduction of the mark where the mark is represented in standard characters**
- 550 **Indication relating to the nature or kind of mark**  
The words contained in the mark have no meaning
- 571 **Description of the mark**  
The mark consists of the fanciful word ARDUINO.  
La marque se compose du mot fantaisie ARDUINO.  
La marca consiste en la palabra imaginaria ARDUINO.
- 511 **International Classification of Goods and Services for the Purposes of the Registration of Marks (Nice Classification) - NCL(10-2014)**  
07 Three-dimensional 3d printers.
- 821 **Basic application**  
IT (Italy), 02.10.2014, TO2014C002949
- 300 **Data relating to priority under the Paris Convention and other data relating to registration of the mark in the country of origin**  
IT (Italy), 02.10.2014, TO2014C002949
- 832 **Designation(s) under the Madrid Protocol**  
EM (European Community), US (United States of America)
- 834 **Designation(s) under the Madrid Protocol by virtue of Article 9sexies**  
CH (Switzerland), CN (China)
- 527 **Indications regarding use requirements**  
US (United States of America)

### **Registration**

- 450 **Publication number and date**  
2015/11 Gaz, 26.03.2015

832 **Designation(s) under the Madrid Protocol**  
EM (European Community), US (United States of America)

834 **Designation(s) under the Madrid Protocol by virtue of Article 9sexies**  
CH (Switzerland), CN (China)

527 **Indications regarding use requirements**  
US (United States of America)

580 **Date of recording (date of notification from which the time limit to notify the refusal starts)**  
26.03.2015

**Ex Officio examination completed but opposition or observations by third parties still possible, under Rule 18bis(1)**

EM (European Community)

450 **Publication number and date**  
2015/14 Gaz, 16.04.2015

**Opposition end date**  
27.12.2015

## WIPO - ROMARIN - International Registration Details

**1243742**

6.7.2015

- 151 **Date of the registration**  
05.12.2014
- 180 **Expected expiration date of the registration/renewal**  
05.12.2024
- 270 **Language of the application**  
English

### Current Status

- 732 **Name and address of the holder of the registration**  
Smart Projects S.r.l. Via Romano, 12 I-10010 Scarmagno (TO) Italy
- 812 **Contracting State or Contracting Organization in the territory of which the holder has a real and effective industrial or commercial establishment**  
IT (Italy)
- 842 **Legal nature of the holder (legal entity) and State, and, where applicable, territory within that State where the legal entity is organized**  
Corporation, Italy
- 740 **Name and address of the representative**  
Buzzi, Notaro & Antonielli d'Oulx S.r.l. Via Maria Vittoria, 18 I-10123 Torino Italy
- 540 **Mark**



- 531 **International Classification of the Figurative Elements of Marks (Vienna Classification) - VCL(7)**  
24.17.05 ; 24.17.08
- 571 **Description of the mark**  
The mark consists of a fanciful imprint composed of two circular shapes joint together, the left circular shape contains the symbol "-" inside in the center of the shape, and the right circular shape contains the symbol "+" inside in the center of the shape.  
La marque se compose d'un logo fantaisie constitué de deux formes circulaires jointes, la forme circulaire de gauche contient le symbole "-" en son centre et la forme circulaire de droite contient le symbole "+" en son centre.  
La marca consiste en una figura de fantasía compuesta de dos formas circulares juntas, la forma circular de la izquierda contiene en su centro el símbolo "-", la forma circular de la derecha contiene en su centro el símbolo "+".
- 511 **International Classification of Goods and Services for the Purposes of the Registration of Marks (Nice Classification) - NCL(10-2014)**  
09 Peripheral devices (computer); stand alone general purpose micro controller boards used for calculation and interface to low voltage electronic components, electromechanical components and electronic systems like personal computers, modems and wireless devices.
- 822 **Basic registration**  
IT (Italy), 05.12.2014, 1615064
- 300 **Data relating to priority under the Paris Convention and other data relating to registration of the**

mark in the country of origin

IT (Italy), 16.09.2014, TO2014C002772

831 **Designation(s) under the Madrid Agreement**

DZ (Algeria)

832 **Designation(s) under the Madrid Protocol**

AU (Australia), CO (Colombia), EM (European Community), GE (Georgia), GH (Ghana), IL (Israel), IN (India), IS (Iceland), JP (Japan), KR (Republic of Korea), MX (Mexico), NO (Norway), NZ (New Zealand), PH (Philippines), SG (Singapore), TR (Turkey), ZM (Zambia)

834 **Designation(s) under the Madrid Protocol by virtue of Article 9sexies**

AL (Albania), BA (Bosnia and Herzegovina), BY (Belarus), CH (Switzerland), CN (China), CU (Cuba), EG (Egypt), IR (Islamic Republic of Iran), KE (Kenya), KP (Democratic People's Republic of Korea), LI (Liechtenstein), MA (Morocco), MC (Monaco), MD (Republic of Moldova), ME (Montenegro), MK (The former Yugoslav Republic of Macedonia), MN (Mongolia), NA (The Republic of Namibia), RS (Serbia), RU (Russian Federation), SD (Sudan), SL (Sierra Leone), SM (San Marino), UA (Ukraine), VN (Viet Nam)

527 **Indications regarding use requirements**

IN (India), NZ (New Zealand), SG (Singapore)

## **Registration**

450 **Publication number and date**

2015/15 Gaz, 23.04.2015

831 **Designation(s) under the Madrid Agreement**

DZ (Algeria)

832 **Designation(s) under the Madrid Protocol**

AU (Australia), CO (Colombia), EM (European Community), GE (Georgia), GH (Ghana), IL (Israel), IN (India), IS (Iceland), JP (Japan), KR (Republic of Korea), MX (Mexico), NO (Norway), NZ (New Zealand), PH (Philippines), SG (Singapore), TR (Turkey), ZM (Zambia)

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527 **Indications regarding use requirements**

IN (India), NZ (New Zealand), SG (Singapore)

580 **Date of recording (date of notification from which the time limit to notify the refusal starts)**

23.04.2015

## **Ex Officio examination completed but opposition or observations by third parties still possible, under Rule 18bis(1)**

EM (European Community)

450 **Publication number and date**

2015/18 Gaz, 14.05.2015

**Opposition end date**

24.01.2016

**Ex Officio examination completed but opposition or observations by third parties still possible, under Rule 18bis(1)**

NZ (New Zealand)

450 Publication number and date  
2015/20 Gaz, 28.05.2015  
Opposition end date  
31.08.2015

861 **Total provisional refusal of protection**

AU (Australia)

450 Publication number and date  
2015/23 Gaz, 18.06.2015  
580 Date of notification  
18.06.2015  
Date of receipt by the International Bureau  
02.06.2015

**Ex Officio examination completed but opposition or observations by third parties still possible, under Rule 18bis(1)**

TR (Turkey)

450 Publication number and date  
2015/26 Gaz, 09.07.2015  
Opposition end date  
12.09.2015

**Statement of grant of protection made under Rule 18ter(1)**

MC (Monaco)

450 Publication number and date  
2015/26 Gaz, 09.07.2015

**Ex Officio examination completed but opposition or observations by third parties still possible, under Rule 18bis(1)**

AU (Australia)

450 Publication number and date  
2015/26 Gaz, 09.07.2015  
Opposition end date  
25.08.2015